

**REPORT TO THE LEGISLATURE**  
**Pursuant to P.A. 154 of 2005**  
**Section 402**  
**Technical Rule Violator Program**

*Section 402 of 2005 P.A. 154* requires that the Department of Corrections provide individual reports for the technical rule violator program, the community residential program, the electronic tether program, and the special alternative to incarceration program, including information on:

- Monthly new participants.
- Monthly participant unsuccessful terminations, including cause.
- Number of successful terminations.
- End month population by facility/program.
- Average length of placement.
- Return to prison statistics.
- Description of each program location or locations, capacity, and staffing.
- Sentencing guideline scores and actual sentence statistics for participants, if applicable.
- Comparison with prior year statistics.
- Analysis of the impact on prison admissions and jail utilization and the cost effectiveness of the program.

**Technical Rule Violator Program (TRV)**

The TRV program was designed as an intermediate sanction for parolees violating the conditions of their parole. Due to the volumes involved, returning parolees to prison for each violation of a parole condition is just not feasible nor is it fiscally possible. However, ignoring violation behavior completely would damage the credibility of parole supervision and encourage escalating violations that could place the public and parole agents at risk. The TRV program provides agents with a method of maintaining credibility and sanctioning parolee noncompliance, (repeatedly, if needed and eligible,) while still reserving limited prison bed space for those offenders that persist in becoming a risk to the public. Table 1 shows that absent the TRV program, nearly 2,700 more parolees would have returned to prison as parole technical violators in each of 2004 and 2005.

**Table 1 - New TRV Participants Monthly By Location**

	<b>Huron Valley</b>		<b>Lake County</b>		<b>Gilman</b>		<b>Grand Rapids</b>		<b>Total</b>	
	<b>2004</b>	<b>2005</b>	<b>2004</b>	<b>2005</b>	<b>2004</b>	<b>2005</b>	<b>2004</b>	<b>2005</b>	<b>2004</b>	<b>2005</b>
Jan	121	127	74	54	64	0	0	8	259	189
Feb	111	100	73	83	45	0	0	20	229	203
Mar	127	156	71	61	72	0	0	17	270	234
Apr	90	119	70	89	62	0	0	24	222	232
May	119	138	82	87	53	0	0	22	254	247
Jun	116	141	65	67	52	0	0	24	233	232
Jul	91	114	72	77	66	0	0	20	229	211
Aug	100	142	87	79	9	0	15	25	211	246
Sep	103	129	62	82	0	0	18	31	183	242
Oct	105	125	76	79	0	0	18	38	199	242
Nov	107	115	69	66	0	0	19	28	195	209
Dec	106	97	73	74	0	0	19	25	198	196
<b>Total</b>	<b>1,296</b>	<b>1,503</b>	<b>874</b>	<b>898</b>	<b>423</b>	<b>Closed</b>	<b>89</b>	<b>282</b>	<b>2,682</b>	<b>2,683</b>
<b>Avg</b>	<b>108.0</b>	<b>125.3</b>	<b>72.8</b>	<b>74.8</b>	<b>52.9</b>		<b>17.8</b>	<b>23.5</b>	<b>223.5</b>	<b>223.6</b>

New Participants to the TRV program come from near failures of the parole population. These parolees have already served their minimum sentence(s) and any continuation(s) the Parole Board deemed necessary to reduce the risk they posed to the public. Tables 2 and 3 present active sentence information of the parole violators at the time of admission to the TRV. In 2005, the 2,683 new TRV participants had 5,315 active sentences, which is similar to 2004. The details presented in these two tables are for individual sentences only, since a composite or cumulative minimum term would obscure offense type information.

**Table 2 - Minimum Term Groups for All Active Offenses at the Time of Admission to TRV**

Minimum Term Groups*	2004		2005	
	Number	Percent	Number	Percent
0-12 Months	1,414	26.6%	1,383	26.0%
13-24 Months	2,410	45.4%	2,470	46.5%
25-36 Months	865	16.3%	838	15.8%
37-60 Months	441	8.3%	453	8.5%
61-120 Months	158	3.0%	150	2.8%
121+ Months	22	0.4%	21	0.4%
Life	0	0.0%	0	0.0%
<b>Total Offenses</b>	<b>5,310</b>	<b>100.0%</b>	<b>5,315</b>	<b>100.0%</b>

\* These Minimum Terms represent individual active sentences and disregard consecutives.

**Table 3 - Offense Types for All Active Offenses at the Time of Admission to TRV**

Offense Type	2004			2005		
	Number	Percent	Average Term*	Number	Percent	Average Term*
Nonassaultive	3,223	60.7%	23.7	3,263	61.4%	23.4
Drug	1,201	22.6%	21.1	1,136	21.4%	21.9
Assaultive	886	16.7%	36.1	916	17.2%	33.4
<b>Total Offenses</b>	<b>5,310</b>	<b>100.0%</b>	<b>25.2</b>	<b>5,315</b>	<b>100.0%</b>	<b>25.1</b>

\* In months, these Average Terms represent individual active sentences and disregard consecutives.

Sentencing Guidelines (SGL) information has been captured in OMNI on a statewide basis since October of 2002 thus, 2003 is the first available, full year of the 1999 Legislative Sentencing Guidelines. Unfortunately, nearly 80% of the sentencing dates for the 2005 new TRV participants are from before 2003 and additional complications, such as, a mix of sentences with and without SGL data, and the change in handling of SGLs with regard to probation violations, make interpreting SGL sentencing characteristics dubious at this time. Regardless, Table 4 shows that most of the actual sentences agree with the SGL ranges, though this comparison is meaningless since it represents less than 2% of the sentences for the new TRV participants.

**Table 4 - Comparison of Actual Sentence with SGL Range for New TRV Participants**

Actual Sentence vs. SGL Range	2004		2005	
	Number	Percent	Number	Percent
Below Range	3	4.0%	3	3.4%
Within Range	61	81.3%	76	85.4%
Above Range	11	14.7%	10	11.2%
Total with SGLs	75	1.4%	89	1.7%
<b>Unknown SGLs</b>	<b>5,235</b>	<b>98.6%</b>	<b>5,226</b>	<b>98.3%</b>
<b>Total Offenses</b>	<b>5,310</b>	<b>100.0%</b>	<b>5,315</b>	<b>100.0%</b>

New TRV participants are expected to stay in the program for about 70 days with successful participants returning to parole status. Table 5 shows that in 2005, there were 2,388 successful parolees who left the TRV, down from 2,481 in 2004. The 2005 average successful stay in the TRV was 64.5 days, down from 66.9 days in 2004.

**Table 5 - Monthly Successful TRV Terminations by Location**

	Huron Valley		Lake County		Gilman		Grand Rapids		Total	
	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005
Jan	88	94	56	61	65	0	0	13	209	168
Feb	90	83	65	63	41	0	0	20	196	166
Mar	120	144	61	60	63	0	0	12	244	216
Apr	97	109	65	83	47	0	0	15	209	207
May	103	134	78	55	54	0	0	17	235	206
Jun	96	110	67	67	35	0	0	18	198	195
Jul	97	100	66	87	61	0	0	28	224	215
Aug	111	114	84	76	62	0	5	14	262	204
Sep	111	124	59	69	1	0	8	21	179	214
Oct	76	106	65	77	0	0	25	20	166	203
Nov	97	107	53	73	0	0	16	24	166	204
Dec	111	93	67	81	0	0	15	16	193	190
<b>Total</b>	<b>1,197</b>	<b>1,318</b>	<b>786</b>	<b>852</b>	<b>429</b>	<b>Closed</b>	<b>69</b>	<b>218</b>	<b>2,481</b>	<b>2,388</b>
<b>Avg</b>	<b>99.8</b>	<b>109.8</b>	<b>65.5</b>	<b>71.0</b>	<b>47.7</b>		<b>13.8</b>	<b>18.2</b>	<b>206.8</b>	<b>199.0</b>

Unsuccessful TRV terminations occurred in about 10% of all terminations for 2005 and tended to occur in an average of 28.4 days, up from 27.3 days in 2004. Below are typical reasons for the monthly unsuccessful terminations shown in Table 6:

- Medical issues that prohibit their participation in TRV.
- The offender voluntary terminates their status in the program.
- A new felony warrant or felony/immigration detainer is issued for the offender.
- The offender commits a violation while in TRV (e.g., substance abuse, threatening behavior/assault, excessive misconducts for non-compliance behavior, serious destruction/theft of property, smuggling dangerous contraband into facility).

**Table 6 - Monthly Unsuccessful TRV Terminations by Location**

	Huron Valley		Lake County		Gilman		Grand Rapids		Total	
	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005
Jan	8	11	18	6	1	0	0	1	27	18
Feb	13	12	9	7	6	0	0	1	28	20
Mar	7	9	6	2	9	0	0	2	22	13
Apr	9	6	5	7	6	0	0	1	20	14
May	11	11	0	8	3	0	0	1	14	20
Jun	11	18	2	6	1	0	0	2	14	26
Jul	11	17	6	5	6	0	0	2	23	24
Aug	9	17	3	4	2	0	0	1	14	22
Sep	8	4	8	19	0	0	4	8	20	31
Oct	9	20	8	4	0	0	3	15	20	39
Nov	13	14	11	2	0	0	4	10	28	26
Dec	15	8	10	2	0	0	2	9	27	19
<b>Total</b>	<b>124</b>	<b>147</b>	<b>86</b>	<b>72</b>	<b>34</b>	<b>Closed</b>	<b>13</b>	<b>53</b>	<b>257</b>	<b>272</b>
<b>Avg</b>	<b>10.3</b>	<b>12.3</b>	<b>7.2</b>	<b>6.0</b>	<b>3.8</b>		<b>2.6</b>	<b>4.4</b>	<b>21.4</b>	<b>22.7</b>

The monthly new TRV participants, monthly successful and unsuccessful TRV terminations, and average lengths of stay resulted in the end of month TRV populations shown in Table 7.

**Table 7 - End of Month TRV Populations by Location**

	Huron Valley		Lake County		Gilman		Grand Rapids		Total	
	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005
Jan	229	235	156	147	105	0	0	32	490	414
Feb	237	239	156	161	102	0	0	31	495	431
Mar	237	240	160	162	102	0	0	34	499	436
Apr	222	241	160	164	110	0	0	42	492	447
May	226	232	164	190	107	0	0	46	497	468
Jun	234	243	161	186	123	0	0	50	518	479
Jul	221	239	160	172	119	0	0	40	500	451
Aug	200	250	160	171	60	0	15	50	435	471
Sep	212	249	156	167	21	0	30	52	419	468
Oct	236	239	159	173	0	0	37	55	432	467
Nov	234	230	163	167	0	0	36	49	433	446
Dec	214	225	159	159	0	0	38	49	411	433
<b>Avg</b>	<b>225.2</b>	<b>238.5</b>	<b>159.5</b>	<b>168.3</b>	<b>94.3</b>	<b>Closed</b>	<b>31.2</b>	<b>44.2</b>	<b>468.4</b>	<b>450.9</b>

Return to prison statistics measure a parolee's outcome at the conclusion of a standard follow-up period. Table 8 replicates a portion of the table of recidivism rates reported to the Legislature in response to *Section 411 of 2005 P.A. 154* by using a flat two-year follow-up period and found that offenders paroled in 2003 had a Total Failure Rate of 46.6% (Absconds 16.7%, Technical Violators 16.7%, and New Sentence Violators 13.2%). New TRV participants for 2003 are the most recent participants that can have a similar two-year follow-up period, however, they would have paroled from a mixture of years from 2003 and earlier. Thus, new TRV participants for 2003 will have a failure rate that averages the recidivism rates for paroles in 2003 and earlier.

**Table 8 - (portion of) Two-Year Follow-Up Outcomes of Offenders Who Paroled in 1998 to 2003 by Year**

Year Paroled	Total Cases	Success Total	Failure Total	Absconds	Technical Violators	New Sentence
2001	9,591	53.3%	46.7%	11.2%	23.0%	12.6%
2002	10,254	52.7%	47.3%	15.9%	18.1%	13.3%
2003	10,987	53.4%	46.6%	16.7%	16.7%	13.2%

See MPRI Monthly Status Report, Addendum No. 15, Table 1 at [www.michigan.gov/documents/03-01-06\\_MPRI\\_Monthly\\_Report\\_Addenda\\_151972\\_7.pdf](http://www.michigan.gov/documents/03-01-06_MPRI_Monthly_Report_Addenda_151972_7.pdf)

TRV impacts jail utilization by minimizing the time an offender would otherwise spend in local jails waiting for return to prison as a parole technical violator. Parolees going to the TRV are picked up and transported to TRV within 5 business days of receiving the referral from the Area Manager. Depending on the availability of beds, the TRVs can also be used to temporarily detain offenders who are pending parole violation instead of being lodged at a local jail (this may occur if no jail beds are available).

TRV impacts prison admissions by diverting eligible parole violators who would otherwise be returned to prison as technical violators. At the end of 2005, the average time before reparole for a parole technical violator was 17.4 months. The 2005 average successful TRV stay was 64.5 days or 2.1 months which saved an average of 15.3 months per first-time TRV participant. Assuming these measures for 2005 are representative of most years and discounting for repeat TRV stays, 480 TRV beds are housing parolees that, if returned to prison, would be occupying approximately 1,000 prison beds.

The TRV program operated at the following locations during 2004 and 2005:

**Huron Valley Technical Rule Violator Center** **Capacity: 240 beds**  
3413 Bemis Rd  
Ypsilanti, MI 48197

2004 Staffing		2005 Staffing
1.0	Parole Probation Manager 3	1.0
1.0	Parole Probation Manager 2	1.0
2.0	Secretary - E8	2.0
3.0	Correction Shift Supervisor 1	3.0
3.0	Parole Probation Officer - E	3.0
31.0	Corrections Officers - E9	29.0
2.0	Food Service Leader - Prisoner	2.0
1.0	Maintenance Mechanic - A	1.0
<b>44.0</b>	<b>Total Huron Valley TRV Staff</b>	<b>42.0</b>

**Lake County Technical Rule Violator Center** **Capacity: 190 beds**  
4153 South M-37  
Baldwin, MI 49304

2004 Staffing		2005 Staffing
1.0	Parole Probation Manager 2	1.0
1.0	Secretary - E8	1.0
1.0	Correction Shift Supervisor 1	1.0
2.0	Parole Probation Officer - E	2.0
1.0	Corrections Transportation Officer - E9	1.0
8.0	Corrections Officers - E9	8.0
<b>14.0</b>	<b>Total Lake County TRV Staff</b>	<b>14.0</b>

**Gilman Technical Rule Violator Center** **Capacity: 160 beds**  
8110 E. White Lake Rd  
White Lake, MI 48386

Ceased Operations September, 2004

2004 Staffing		2005 Staffing
1.0	Deputy Prison Warden	
1.0	Secretary - E8	
1.0	Correction Shift Supervisor 2	
3.0	Correction Shift Supervisor 1	
2.0	Parole Probation Officer - E	
20.0	Corrections Officers - E9	
2.0	Food Service Leader - Prisoner	
1.0	Maintenance Mechanic - A	
<b>31.0</b>	<b>Total Gilman TRV Staff</b>	<b>0.0</b>

**Grand Rapids Technical Rule Violator Center**

322 Front Street SW  
Grand Rapids, MI 49504

**Capacity: 80 beds**

Began Operations August, 2004

**2004 Staffing**

1.0	Parole Probation Manager 2
1.0	Secretary - E8
1.0	Correction Resident Rep - E10
4.0	Parole Probation Officer - E
1.0	Corrections Officers - E9

**8.0 Total Grand Rapids TRV Staff**

**2005 Staffing**

1.0
1.0
1.0
4.0
1.0

**8.0**

(The Grand Rapids Corrections Center is at the same location and shares some staff.)